

COMPLAINT:

CV-14-BE-1879-M

OCT -2 P 12:00
U.S. DISTRICT COURT
N.D. OF ALABAMA

I. JURISDICTION: IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA

II. PLAINTIFF : ARLO TOWNSEND (182194-AIS*)
1000 ST. CLAIR ROAD
SPRINGVILLE ALABAMA 35146
ST. CLAIR CORRECTIONAL FACILITY

III. DEFENDANT : JOEY FISHBACK (COI) CORRECTIONAL OFFICER
(JUST GRADUATED ACADEMY ABOUT 1 YEAR)

IV. FACTS : SEE ATTACHMENT (over)

V. CLAIMS FOR RELIEF : MY 8TH AMENDMENT RIGHTS WERE VIOLATED

VI. DEMAND FOR JUDGEMENT: I SEEK INJUNCTIVE RELIEF. THIS PRISON (ST. CLAIR CORRECTIONAL FACILITY) IS UNDER INVESTIGATION FOR A WIDESPREAD PATTERN OF UNCONSTITUTIONAL FORCE. I ACQUIRED A SUBSTANTIAL AMOUNT OF HARM BEING IN SEGREGATION. MY PROPERTY WAS MISPLACED WHEN PACKED. I WAS WRONGFULLY ABUSED DURING WHOLE ORDEAL. I DEMAND THAT THIS BOGUS DISCIPLINARY BE REMOVED FROM MY RECORDS IN CLASSIFICATION IN "CENTRAL RECORDS". I DIDNT RECEIVE MY TRADE SCHOOL CERTIFICATE, I WANT TO BE ENROLLED BACK INTO TRADE SCHOOL. I WISH TO FILE A RESTRAINING ORDER AGAINST THE OFFICER, ALSO I SEEK PUNITIVE DAMAGES, + AN EMERGENCY TRANSFER.

COMPLAINT; AFFIDAVIT

I ARLO TOWNSEND, sworn this day August 11, wish to file charges for assault with further assistance against (COI) Officer Joey Fishback for assaulting me and filing a false charge against me. He Violated my 8th Amendment Rights. His negligence displayed "deliberate indifference" and "Reckless disregard" by failing to act reasonably. He did not refrain from using unnecessary and excessive force. His application of force maliciously, sadistically and wantonly violated my contemporary standards of decency. It was not justifiable by any legitimate law enforcement or prison management need and was completely out of proportion to that need. The lack of justification or excessiveness made the force objectively unreasonable. The agony I suffered (and still suffering) was completely unprovoked. I am seeking Injunctive Relief. Several courts have found police officers and supervisors liable for misuse of force by officers based on histories of inadequate training or inadequate investigation of citizens or prisoners complaints. The failure to train officers or discipline officers, to investigate complaints or to have an appropriate written use of force policy means that I would have to prove "deliberate Indifference". The situation occurred July 9, 2014 at 5:10 a.m. at St. Clair Correctional Facility. A disciplinary was falsely written, and there was no investigation. I was sprayed with mace. I REQUEST A POLYGRAPH TEST.

Witness: REV. Lloyd Moore 133728 (G-11)

WITNESS: John Johnson

ARLO TOWNSEND 182194
ST. CLAIR CORRECTIONAL FAC.

COMPLAINT; AFFIDAVIT; **FACTS**

I ARLO TOWNSEND, SWORN THIS DAY AUGUST 11, WISH TO FILE CHARGES FOR ASSAULT WITH FURTHER ASSISTANCE AGAINST (COI) OFFICER JOEY FISHBACK FOR ASSAULTING ME AND FILING AND **PERJURING** A FALSE CHARGE AGAINST ME. HE VIOLATED MY 8TH AMENDMENT RIGHTS. HIS NEGLIGENCE DISPLAYED "DELIBERATE INDIFFERENCE" AND "RECKLESS DISREGARD" BY FAILING TO ACT REASONABLY. HE DID NOT REFRAIN FROM USING UNNECESSARY AND EXCESSIVE FORCE. HIS APPLICATION OF FORCE MALICIOUSLY, SADISTICALLY, AND WONTONLY VIOLATED MY CONTEMPORARY STANDARDS OF DECENCY. IT WAS NOT JUSTIFIABLE BY ANY LEGITIMATE LAW ENFORCEMENT OR PRISON MANAGEMENT NEED AND WAS COMPLETELY OUT OF PROPORTION TO THAT NEED. THE LACK OF JUSTIFICATION OR EXCESSIVENESS MADE THE FORCE OBJECTIVELY UNREASONABLE. THE AGONY I SUFFERED (AND STILL SUFFERING) WAS COMPLETELY UNPROVOKED. I AM SEEKING INJUNCTIVE RELIEF. SEVERAL COURTS HAVE FOUND POLICE OFFICERS AND SUPERVISORS LIABLE FOR MISUSE OF FORCE BY OFFICERS BASED ON HISTORIES OF INADEQUATE TRAINING OR INADEQUATE INVESTIGATION OF CITIZENS OR PRISONERS COMPLAINTS. THE FAILURE TO TRAIN OFFICERS OR DISCIPLINE OFFICERS, TO INVESTIGATE COMPLAINTS OR TO HAVE AN APPROPRIATE WRITTEN USE OF FORCE POLICY MEANS THAT I WOULD HAVE TO PROVE "DELIBERATE INDIFFERENCE".

THE SITUATION OCCURED JULY 9, 2014 AT 5:10 a.m. AT ST. CLAIR CORRECTIONAL FACILITY. A DISCIPLINARY WAS ~~MADE~~ FALSELY WRITTEN AND HE **PERJURED** HIMSELF UNDER OATH. THERE WAS NO INVESTIGATION. I WAS SPRAYED WITH MASE. I REQUEST (LIE DETECTOR TESTS) POLYGRAPHS TO BE USED.

WITNESS: REV. LLOYD MOORE 133728 (G-11) ST. CLAIR CORR. FAC.

WITNESS: JOHN JOHNSON (G-5 inmate) ST. CLAIR CORR. FAC.

WITNESS: AL.COM Prison Secrets (Internet)

* MY WITNESSES DID NOT SHOW UP FOR DISCIPLINARY COURT BECAUSE I DIDNT KNOW THEIR REAL NAMES, BUT THEY LATER SIGNED AFFIDAVITS TELLING THE WARDEN WHAT THEY SAW.

ARLO TOWNSEND 182194
ST. CLAIR CORRECTIONAL FACILITY
Arlo Townsend

SWORN TO AND SUBSCRIBED TO before me on this 14 day of
August, 2014.


NOTARY PUBLIC

My Commission Expires: 10-24-14